

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

GOJO INDUSTRIES, INC.,

Plaintiff,

v.

INNOVATIVE BIODEFENSE, INC., and  
AQUARIUS GLOBAL ENERGY  
PARTNERS, LLC,

Defendants.

Civil Action No. 15-cv-2946 (PAC)

ECF Case

**DECLARATION OF HOTAN BAROUGH  
IN SUPPORT OF DEFENDANT  
INNOVATIVE BIODEFENSE, INC.'S  
MOTION FOR TRANSFER OF VENUE  
PURSUANT TO 28 U.S.C. 1404(a)**

I, Hotan Barough, pursuant to 28 U.S.C. § 1746, declare as follows under penalty of perjury:

1. I am competent to testify to the facts contained in this declaration and I have personal knowledge of all matters set forth herein and to authenticate the documents attached hereto or incorporated herein as exhibits. I make this declaration in support of Defendant Innovative BioDefense, Inc.'s ("IBD") Motion for Transfer of Venue.

2. I currently serve as the owner of Zylast Direct, a California sole proprietorship with its principal place of business in Costa Mesa, California in Orange County.

3. Founded in 2014, Zylast Direct is an independent distributor of Zylast products for direct to consumer purchases. Zylast Direct maintains the website [www.zylastdirect.com](http://www.zylastdirect.com).

4. Zylast Direct is a private company with no employees. All of Zylast Direct's personnel reside in Orange County, California. Moreover, all of Zylast Direct's books and records are located in California.

5. Zylast Direct is a California sole proprietorship, and is not incorporated in New York, nor has it qualified to do business in New York. Zylast Direct has no subsidiary incorporated or qualified to do business in New York.

6. If this matter proceeds to trial in New York, it would impose a severe and undue burden on Zylast Direct, falling entirely on me. Given my role at the company and the size of the company, the burden of appearing for trial in New York would severely impact Zylast Direct's ability to conduct its business. It would also be unduly burdensome and inconvenient for Zylast Direct to attend trial in New York given the significant expense of travel and also the burden placed on Zylast Direct's business of me being out of the office for an extended period of time.

7. The convenience of the witnesses would be served by transferring this action to

the Central District of California.

I declare under penalty of perjury that the foregoing is true and correct. Executed on  
June \_\_, at Irvine, California.

  
Hotan Barough

4835-8574-4676.1